

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

v.

Case No. 21-mj-90

MATTHEW D. ENGELHARDT,

Defendant.

COMPLAINT FOR VIOLATION OF TITLE 18, UNITED STATES CODE,
SECTION 2422(b)

BEFORE United States Magistrate Judge
Stephen L. Crocker

United States District Court
120 North Henry Street
Madison, Wisconsin 53703

The undersigned complainant being duly sworn states:

From on or about April 18, 2019, to June 30, 2021, in the Western District of
Wisconsin and elsewhere, the defendant,

MATTHEW D. ENGELHARDT,

using a facility and means of interstate commerce, that is Facebook Messenger,
knowingly attempted to persuade, induce, entice, and coerce an individual who had not
attained the 18 years, to engage in sexual activity for which any person could be
charged with a criminal offense under the laws of the State of Wisconsin, specifically,
Second Degree Sexual Assault of a Child, in violation of Wis. Stat. 948.02(2).

(In violation of Title 18, United States Code, Section 2422(b)).

This complaint is based on the attached affidavit of Jeffrey D. Lenzner.

JEFFREY D. LENZNER, Special Agent
Wisconsin Department of Justice,
Division of Criminal Investigation

Sworn to before me ^{TELEPHONICALLY} this 1st day of July 2021.



HONORABLE STEPHEN L. CROCKER

COUNTY OF DANE)
) ss
STATE OF WISCONSIN)

AFFIDAVIT

I, Jeffrey D. Lenzner, being first duly sworn, state as follows:

1. I am a sworn law enforcement officer currently employed as a Special Agent for the Wisconsin Department of Justice, Division of Criminal Investigation ("DCI"). I have been employed as a Special Agent since September 2015. I am also cross designated as a Task Force Officer with the United States Department of Homeland Security, Homeland Security Investigations. Prior to that, I was a Police Officer with the Shawano Police Department from May 2007 to September 2015. I have received over 500 hours of training in the investigation of computer facilitated exploitation of children, and methods of forensic analysis of computers used in criminal activity. This training was provided by WI DCI, the United States Department of Justice Internet Crimes Against Children (ICAC) Training and Technical Assistance Program and Fox Valley Technical College. I have written over 100 search warrant and subpoena applications over my law enforcement career. I have received additional training in undercover peer-to-peer file sharing investigations and undercover chat communications.

2. I am currently assigned to the Wisconsin ICAC Taskforce, which was developed pursuant to a federal grant received from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the National Center for Missing and Exploited Children (NCMEC). The Wisconsin ICAC Taskforce's primary responsibility is the investigation of sexual crimes committed against children through the computer and

the Internet. I have been involved in numerous investigations concerning computer facilitated crimes of children where evidence of such crimes has been discovered, including evidence recovered via a forensic examination of computer related storage devices. I have been responsible for the arrest of individuals for charges including possession and/or distribution of child sexual abuse material, child enticement, and exposure of a child to harmful materials or narration. I have participated in interviews and interrogations of individuals involved in the sexual abuse and exploitation of children and have participated in the preparation and execution of search warrants and consent searches involving those same offenses.

3. The facts in the affidavit come from my training and experience, my own investigation, and information provided to me by other law enforcement officers. This affidavit does not contain every fact I know about this investigation but merely is intended to show probable cause that Matthew D. ENGELHARDT violated Title 18, United States Code, Section 2422(b).

4. As part of my duties, I maintain an undercover Facebook Account portraying myself as a fourteen-year-old girl named Sarah (UC ACCT). On or about April 18, 2019, I received a Facebook Messenger message from a Facebook account with the username Matthew ENGELHARDT. The account showed ENGELHARDT was born in 1989 and lived in Roswell, New Mexico. The first communications were as follows:

April 18, 2019

ENGELHARDT: Hi Sarah

April 21, 2019

ENGELHARDT: Hi please talk to me

April 24, 2019

ENGELHARDT: I would like to talk with u so please message me back

Please talk to me

UC ACCT: Hi

ENGELHARDT: How r u Sarah

U single

UC ACCT: Yes. u?

ENGELHARDT: Yes want me to be your boyfriend

UC ACCT: Where do you live?

ENGELHARDT: In New Mexico and u

UC ACCT: I live in Wisconsin. NM is too far away

ENGELHARDT: I can come see i

U

UC ACCT: You would come all the way here to see me?

ENGELHARDT: Yes and to be with u

So how about it

UC ACCT: Im only 14 tho . . .

That ok?

ENGELHARDT: Yes that is fine

Later in the initial conversation, ENGELHARDT asks "Sarah" whether she has

had sex yet and whether she will have sex with him. In the same conversation the following exchanges takes place:

ENGELHARDT: Do u want kids from me one day

UC ACCT: idk...im only 14 so that would be in along time... lol

ENGELHARDT: How about if I stayed and helped I if u did get pregnant
I meant u

...

ENGELHARDT OK so can I still come and see u though

UC ACCT: Maybe

ENGELHARDT Pretty please

5. Over the next two years conversations continued on and off. At times, ENGELHARDT offered to bring "Sarah" gifts including posters, figurines, and jewelry.

6. On February 22, 2021, the following conversation took place:

ENGELHARDT: Its Matt remember me

UC ACCT: Yeah I remembered...you loved me and were going to
come stay at my house and then you hurt your leg and stopped talking to me

ENGELHARDT: My leg is fine now do u still want me to come stay
I can if u want me to

UC ACCT: You can do whatever you want. You forgot my birthday
and didn't seem to care that much about me

ENGELHARDT: I'm sorry I forgot your birthday ok plz forgive me and I still

love u

UC ACCT: You do? What do you remember about me?

ENGELHARDT: That u are very sweet and lovely and want to be with me and experience something in your life and be kissed

UC ACCT: What about anything more exact... those are just general statements

ENGELHARDT: That we where going to be together forever and get married and be cuddling with each other while watching a movie and go for walks and things

UC ACCT: What were you going to bring with you?

ENGELHARDT: Clothes so I have stuff to wear and some stuff I bought for u

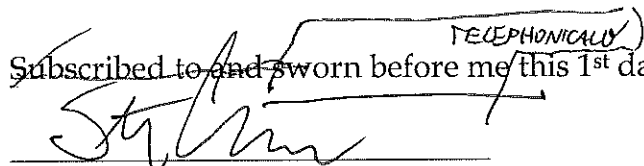
7. In April 2021, ENGELHARDT tells "Sarah" that he will be coming to Wisconsin to visit his sister at the end of June. On June 8, he tells here that he will be in Wisconsin for a week if "Sarah" wants to see him. In the same conversation he asks if they can have sex when they see each other. On June 23, 2021, he tells "Sarah" that he is on his way to Wisconsin to see her. On June 29, 2021, the tells "Sarah" "no im leaving tomorrow and want to see u before i leave and sex u." The two talk about the possibility of meeting and ENGELHARDT says he wasn't to "Talk a walk and go walk around target and maybe sex in the bathroom." He also sent a picture of his erect penis and said, "This is what u will get tomorrow."

8. On June 30, 2021, "Sarah" tells ENGELHARDT that she is at the Target in Janesville. Undercover officers then saw ENGELHARDT leave the Super 8 Motel and run to the Target store where he was arrested. A condom was found in his pocket.

ENGELHARDT later told me that he brought the condom with him from New Mexico in anticipation of having sex with "Sarah."

9. I interviewed ENGELHARDT after he was taken into custody. He told me that he had been using Facebook messenger to communicate with a girl whom he knew to be 15 years old. He also said he planned on meeting the girl that morning and going to the bathroom at Target to have sex with her.

JEFFREY D. LENZNER, Special Agent
Wisconsin Department of Justice,
Division of Criminal Investigation

 ^{TELEPHONICALLY}
Subscribed to and sworn before me this 1st day of July 2021.

HONORABLE STEPHEN L. CROCKER
United States Magistrate Judge